

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BROKER GENIUS INC.,	:	17-Cv-8627 (SHS)
	:	
Plaintiff,	:	
	:	
-v-	:	<u>ORDER</u>
	:	
SEAT SCOUTS, LLC and DREW GAINOR,	:	
	:	
Defendants.	:	

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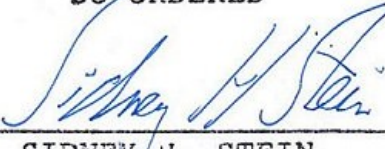
SIDNEY H. STEIN, U.S.D.J.

The Court has received Mr. Heisenberg's letter dated September 8, 2020 [Doc. No. 575]. In the letter he states that this action has been stayed as a result of the bankruptcy proceeding against Seat Scouts, LLC in the United States Bankruptcy Court for the District of Nebraska, and that exclusive jurisdiction has been transferred to that bankruptcy court. Of course, neither assertion is correct. First, the bankruptcy stay applies solely to Seat Scouts, LLC, the debtor, and not to defendant Drew Gainor. See 11 U.S.C. 362(a). Second, the bankruptcy court has exclusive jurisdiction over the property of Seat Scouts, LLC, but not the property of Mr. Gainor. *See* 11 U.S.C. 1334 (e)(1)

There are several motions pending before this Court. Broker Genius is directed to notify the Court in writing as to whether it intends to pursue this case against Mr. Gainor at this time with its attendant litigation expense. If it does not intend to do so at this time, the Court will enter a stay of this action pending the outcome of the bankruptcy proceeding.

Dated: New York, New York
September 16, 2020

SO ORDERED



SIDNEY H. STEIN
U.S.D.J.